

12/14/00

JC944 U.S. PTO

12-151-00

PTO/SB/05 (08-00)

Please type a plus sign (+) inside this box

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

ATI-259

First Inventor

David S. Breed

Title

Method and Arrangement...

Express Mail Label No.

EL741313577US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 37]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 22]
5. Oath or Declaration [Total Pages 3]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No.: 09 437,535

Prior application information:

Examiner T. ToGroup / Art Unit: 3619**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**18. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label22846or ☐ Correspondence address below

Name

Brian Roffe, Esq.

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516 295-1394

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Brian Roffe

Registration No. (Attorney/Agent)

35,336

Signature

Date 12/14/2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

12/14/00



PTO/SB/17 (09-00)

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1728

Complete if Known

Application Number	
Filing Date	December 14, 2000
First Named Inventor	David S. Breed
Examiner Name	
Group Art Unit	
Attorney Docket No.	ATI-259

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: 50-0266
- Deposit Account Name: Automotive Tech. INT'L Inc.
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 710

2. EXTRA CLAIM FEES

Total Claims: 41 -20** = 21 x 18 = 378

Independent Claims: 11 -3** = 8 x 80 = 640

Multiple Dependent: ☐ = ☐

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1018

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Brian Roffe

Registration No.
(Attorney/Agent)

35,336

Complete (if applicable)

Telephone

516 295-1394

Signature

Date

12/14/2000

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David S. Breed et al.
Serial No.: Not yet known
Filed: December 14, 2000
For: METHOD AND ARRANGEMENT FOR
CONTROLLING DEPLOYMENT OF A SIDE
AIRBAG

EXPRESS MAIL CERTIFICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

December 14, 2000

Dear Sir:

Express Mail Label Number EL 741313577 US

Date of Deposit: December 14, 2000

I hereby certify that the following attached paper(s) or fees(s)

New U.S. Patent application of 37 pages with 22 pages of drawings; utility patent application transmittal, fee transmittal (in duplicate), copy of Declaration/Power of Attorney (3 pages); Information Disclosure Statement; PTO-1449, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the "Assistant Commissioner for Patents, Washington, D.C. 20231"

Respectfully submitted,

By: 

Brian Roffe
Attorney for Applicants
Reg. No. 35,336

Brian Roffe, Esq.
366 Longacre Avenue
Woodmere, New York 11598-2417
Tel.: (516) 295-1394
Fax.: (516) 295-0318

UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David S. Breed et al.
Serial No.: Not yet known
Filed: December 14, 2000
For: METHOD AND ARRANGEMENT FOR
CONTROLLING DEPLOYMENT OF A
SIDE AIRBAG

LETTER TO EXAMINER

Assistant Commissioner for Patents
Washington, D.C. 20231

December 14, 2000

Dear Sir:

This application is a continuation of U.S. patent application Ser. No. 09/437,535. The claims of this application are drafted to include subject matter the Examiner indicated would be allowable in the '535 application. Specifically, claims 1, 5, 10, 11, 17, 24, 28, 31, 32, 37 and 41 are the independent claims whereby claim 1 includes the subject matter of claims 1, 2 and 4 of the '535 application, claim 5 includes the subject matter of claims 1, 2 and 5 of the '535 application, claim 10 includes the subject matter of claims 1 and 9 of the '535 application, claim 11 includes the subject matter of claims 10, 11 and 13 of the '535 application, claim 17 includes the subject matter of claims 10, 11 and 14 of the '535 application, claim 24 includes the subject matter of claims 20, 21 and 23 of the '535 application, claim 28 includes the subject matter of claims 20, 21 and 26 of the '535 application, claim 31 includes the subject matter of claims 20 and 27 of the '535 application, claim 32 includes the subject matter of claims 28, 29 and 31 of the '535

application, claim 37 includes the subject matter of claims 28, 29 and 34 of the '535 application and claim 41 includes the subject matter of claims 28 and 35 of the '535 application.

As such, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

By: 

Brian Roffe
Attorney for Applicants
Reg. No. 35,336

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UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David S. Breed et al.
Serial No.: Not yet known
Filed: December 14, 2000
For: METHOD AND ARRANGEMENT FOR
CONTROLLING DEPLOYMENT OF A
SIDE AIRBAG

CLAIM OF PRIORITY

Assistant Commissioner for Patents
Washington, D.C. 20231

December 14, 2000

Sir:

Applicants hereby claim the benefit of the following applications under 35 U.S.C. §120:

This application is a continuation of U.S. Ser. No. 09/437,535 filed Nov. 10, 1999;

which is a continuation-in-part of U.S. Ser. No. 09/047,703 filed Mar. 25, 1998;

which is a continuation-in-part of U.S. Ser. No. 08/640,068 filed Apr. 30, 1996, now U.S.
Pat. No. 5,829,782;

which is a continuation of U.S. Ser. No. 08/239,978 filed May 9, 1994, now
abandoned;

which is a continuation-in-part of U.S. Ser. No. 08/040,978 filed Mar. 31, 1993,
now abandoned;

which is a continuation-in-part of U.S. Ser. No. 07/878,571 filed May 5, 1992,
now abandoned;

and which is a continuation-in-part of U.S. Ser. No. 08/905,876 filed Aug. 4, 1997, now U.S. Pat. No. 5,848,802;

which is a continuation of U.S. Ser. No. 08/505,036 filed July.21, 1995, now U.S. Pat. No. 5,653,462;

which is a continuation-in-part of U.S. Ser. No. 08/040,978 filed Mar. 31, 1993, now abandoned;

which is a continuation-in-part of U.S. Ser. No. 07/878,571 filed May 5, 1992, now abandoned.

Respectfully submitted,

By: 

Brian Roffe
Attorney for Applicants
Reg. No. 35,336

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